

FOR THE NINTH CIRCUIT

May 11, 2005

MICHAEL AARON JAYNE,

Plaintiff - Appellant,

v.

J. POPE, Sheriff; et al.,

Defendants - Appellees.

No. 05-15575
D.C. No. CV-02-00418-
WBS/JFM

REFERRAL NOTICE

This matter is referred to the district court for the limited purpose of determining whether this appeal has been taken in good faith or is frivolous. *See* 28 USC Sec. 1915(a)(3).

If the district court is of the opinion that this appeal is frivolous or not taken in good faith, the district court is requested to complete the attached certification form and return it to this court within 21 days. If this court does not receive a completed certification form within 21 days, it will presume that the district court considers the appeal to have been taken in good faith.

This referral shall not affect the briefing schedule previously established by this court.

FOR THE COURT:

Cathy A. Catterson
Clerk of Court



By: Jeffery Crocker
Deputy Clerk

FOR THE EASTERN DISTRICT OF CALIFORNIA (Sacramento)

MICHAEL AARON JAYNE,

Plaintiff - Appellant,

v.

J. POPE, Sheriff; et al.,

Defendants - Appellees.

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ORDER

FILED

MAY 13 2005

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK

This appeal has been taken in good faith []

This appeal is not taken in good faith []

Explanation: I have no idea what the
grounds for appeal are, so I cannot
certify whether it is taken in good
faith. Plaintiff lost after a jury trial.

William W. Shubert

Judge
United States District Court

Date: 5/13/2005